

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

CITY OF DAYTON,	:	Case No. 3:11-cv-383
Plaintiff,		Magistrate Judge Michael J. Newman (Consent Case)
-vs-	:	
A.R. ENVIRONMENTAL, INC., <i>et al.</i> ,		
Defendants.	:	

ORDER TO PLAINTIFF

In light of the Court's recent Order entering a default judgment and damages against Defendant A.R. Environmental, Inc., Plaintiff is **ORDERED** to advise the Court, within **10 (ten) days** of this Order, whether it intends to proceed in this litigation against Defendant Alex Penland, or intends to move to voluntarily dismiss its claims against Mr. Penland.

IT IS SO ORDERED.

October 29, 2012

s/ **Michael J. Newman**
United States Magistrate Judge